

February 2, 2017

Via ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

Re: Notification of *Ex Parte* Presentation, CG Docket No. 02-278

Dear Ms. Dortch:

On February 2, 2017, Jonathan Thessin of the American Bankers Association (ABA) and Charles Kennedy of the Kennedy Privacy Law Firm met with Amy Bender, Legal Advisor to Commissioner O’Rielly. The meeting concerned ABA’s Petition for Reconsideration (the Petition), filed on August 10, 2015, of the Commission’s Declaratory Ruling and Order adopted June 18, 2015 (the Order).¹

In the Order, the Commission granted four exemptions from the Telephone Consumer Protection Act’s requirements for certain time-sensitive calls and text messages.² ABA’s Petition seeks removal of one of the conditions imposed on these exemptions, limiting the calls and texts covered by the exemptions to those calls and texts sent “to the wireless telephone number provided by the customer of the financial institution” (the provided number condition).³

In the meeting, ABA inquired about the status of the Petition. ABA also advised Ms. Bender about the harmful impact that the provided number condition has had on the ability of financial institutions to make time-sensitive calls and texts pursuant to the exemptions.

Sincerely,



Jonathan Thessin
Senior Counsel, Center for Regulatory Compliance

¹ *Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, CG Docket No. 02-278, WC Docket No. 07-135 (Declaratory Ruling and Order released July 10, 2015).

² *Id.* ¶¶ 127-39.

³ *Id.* ¶ 138(1).